

Chairman Olson, Vice Chairman Jackson, Members of the Committee, John Vincent, Montana
Public Service Commissioner.

I speak for myself today and I do not represent the Montana Public Service Commission on this bill.

I strongly oppose HB 198. I am convinced that regardless of what some might argue, this legislation does in fact (under current Montana law, our state's weakened Major Facility Siting Act, and the political realities of the DEQ siting process) give private entities the virtually unfettered right of eminent domain for private purposes and gain. Eminent domain should only be utilized when and if the government can show (by clear and convincing evidence) that a private project is clearly in the public interest..... In other words, ONLY when the public benefit rises to AT LEAST the level of benefit that will accrue to a private entity should the government's power of eminent domain be utilized. Transmission projects like MATL and MSTI cannot come even remotely close to meeting that standard. Passage of HB 198 would sacrifice a fundamental, even sacred, American and Montana right for private ~~profit~~, and that just isn't right!

Property protection
JV

Briefly to conclude, I believe it would be a big mistake to base a vote for HB 198 on the "jobs" claims made by proponents.

Those claims are, at the very least, highly dubious. Even a quick look at what has happened on transmission projects in other states will show that raising expectations for jobs in Montana is actually an exercise in false hope, and that isn't right either.

Thank You,

John Vincent